IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 17th day of May 2005

Criminal Misc. Bail Application No. 227/2005

Order on the bail application of accused

CRIMINAL SIDE

Sonu @ Manish S/o Shri Rishikant
R/o Mohalla Rajghat, Kankhal
P.S. Kankhal
District Haridwar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of case crime No. 663 of 2004
U/s 120 B, 467, 468, 471, 411, 380, 404, 302, 201 and
Section 34 I.P.C.
P.S. Kotwali Haridwar
District- Haridwar.

Hon'ble J.C.S. Rawat, J.

Heard Sri Parikshit Saini learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The learned counsel for the applicant contended that the applicant was arrested on 05.10.2004 and his remand was taken on 6.10.2004. Thereafter, the bail application was moved on 6.1.2005 and the chargesheet was filed on the same day i.e. 6.1.2005 after a lapse of 90 days. In view of the mandatory provisions of Section 167 Cr. P.C., the Magistrate should have enlarged the bail to the applicant- accused. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant- accused be released on bail on his executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(**J.C.S.Rawat,J.)**

Dated: 17.5.2005

LSR